

REMARKS

The amendments to the specification address minor formal matters.

Claims 1, 2 and 5 to 15 are in the application.

Applicants request reconsideration of the rejection of claims 1, 2, 5 and 9 as being anticipated by Romero '514. Claim 1 as now presented specifies a ramp system for bikers, skateboarders and skaters comprising first and second substantially identical ramps arranged back to back, each ramp having first and second ends and an upper surface extending between those ends. Claim 1 further specifies a releasable connection connecting the first ends of the ramps so that the ramps form a cusp and the second ends of the ramps are spaced apart and define a plane spaced below the cusp. Finally, claim 1 requires that the connection include a rigid exposed metal tube extending the widths of the ramps between the first ends thereof and which extends above the upper surfaces of the ramps to define a grind rail for the skateboarders.

The Romero ramp device, on the other hand, comprises a pair of rigid plates 14 whose upper edges are connected together by a piano hinge 16. The pintle component of the piano hinge is permanently centered in the gudgeons formed at the ends of plates 14. That pin is never exposed and does not extend up above the upper surfaces of the plates 14 as required by claim 1.

Moreover, the gudgeons formed at the upper ends of plates 14 are made of the same material as the plates, i.e. that is they are "preferably made of relatively heavy

plastic material" (Pat. col. 2, lines 60-61). Therefore, the apex of the Romero device could never function as a grind rail because the plastic would quickly be worn away by the skateboards.

Claims 2 and 6 being dependant on claim 1 are allowable for the same reasons. With respect to claim 6, we deny that the feature claimed therein is a matter of design choice. If it were obvious to connect a plurality of such ramp devices together side by side, one or another of the cited patentees would have provided means for doing so. It is noted that none of the references of record discloses a ramp having a lateral expansion capability.

Applicants also request reconsideration of the rejection of claims 7,8 and 10 to 13 as being unpatentable over Romero in view of Everard et al. '672.

As noted in connection with claim 1, the two plastic plates 14 in Romero are permanently, not releasably, connected and the pin component of the hinge 16 there is buried within the upper ends of the plastic plates. Therefore, it does not extend above the ramp surfaces and could never function as a grind rail.

That would be the case even if the hinge 16 in Romero were substituted for by the ramp connection disclosed in Everard et al. More particularly, in Everard et al. the two ramp sections or tread plates 12 are interconnected by "relative endwise sliding movement such that the rod 21 of a lower plate is received in the concave groove 35 of an upper plate" (Pat. col. 3, lines 29-33). In other words, the two plates 12 are not

identical and they do not have complementary tongues and notches as required by applicant's claims 7,8 and 10 to 13.

It is true that one of the plates 12 disclosed in the Everard et al. patent has a slot 24. However, that slot does not receive a tongue projecting from the other plate 12. Rather, it accommodates a pin 37 whose function is to prevent relative axial movement of the two plates 12,12. In other words, in that patented construction, the left hand plate 12 in Pat. Fig. 2 has no tongue and no notch; the right hand plate 12 in Fig. 2 has no tongue even if the slot 24 is considered to be a notch.

Most importantly, as clearly seen by Fig. 3 of Everard et al., the rod 21 of Everard et al., which the Examiner refers to as a rail, could never be the equivalent of applicants' rail or tube because it is surrounded by the semi-cylindrical lip 22 so that it is neither exposed nor does it extend above the surfaces of plates 12 as required by applicant's claims. This can clearly be seen by rotating Fig. 3 of Everard et al. counter-clockwise so that the hinge therein is uppermost. The hinge rod 21 is buried in the middle of the hinge and even the overlying semi-circular lip 22 could never function as a grind rail because of the projecting end of the left hand plate 12 which extends above that lip.

Thus, even if Romero and Everard et al. are combined as proposed by the Examiner, the resultant assemblage would still not be the equivalent of the ramp system recited in applicants' claims 7 and 10 which require that each ramp be provided at its upper end with a tongue which hooks from below into a complementary notch at the


upper end of the other ramp so that the tongues of the two ramps become releasably locked behind the rail that is attached to one of the ramps.

The new claims 14 and 15 being dependent upon claims 6 and 12 should be allowed for the same reasons. These claims are allowable also in reciting specific structure which is neither disclosed nor suggested by the references of record whether considered singly or in any proper combination.

Accordingly and for the foregoing reasons, the claims remaining in this application should be allowed.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,



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